

AMENDMENT
U.S. Appln. No. 09/843,891

REMARKS

Upon entry of the claim amendments, Claims 1-11 will be all the claims pending in the application.

Amended Claims 1 and 2 are supported by the description at page 6, line 24, through page 7, line 3, page 20, line 22, through page 21, line 17, and original Claim 3.

Amended Claims 3-7 are supported by original Claims 4-8, respectively. Amended Claims 8-11 are identical to amended Claim 7, but depend from Claims 3-6, respectively.

Claims 12 and 13 have been canceled.

No new matter has been added.

I. Rejection Under 35 U.S.C. § 112

Claims 1-10 and 13 are rejected under 35 U.S.C. § 112, second paragraph.

Amended Claims 1-11 satisfy each and every requirement of §112.

The meaning of the recitation "aqueous thermoplastic resin" is clear and definite when properly construed according to the teachings of the underlying disclosure, including Example 6 at page 43, lines 18-24, of the specification. An "aqueous thermoplastic resin" is a thermoplastic resin soluble in water. Furthermore, the subject matter of Claim 13 (dissolution of the resin in alcohol) has been canceled.

The withdrawal of this §112 rejection is respectfully requested.

II. Prior Art Rejections

Claims 1, 3-6, 8-10 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueda et al. (5,843,598) in view of Mailloux et al. (5,066,047), Yu et al. (EP 521296) and Nordeen et al. (6,022,440).

AMENDMENT

U.S. Appln. No. 09/843,891

Claims 1-6, 8-10 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Morii et al. (6,066,378) in view of Mailloux et al. (5,066,047), Yu et al. (EP 521296) and Nordeen et al. (6,022,440).

Claims 1-10 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over either of Ueda et al. (5,843,598) or Morii et al. (6,066,378), combined with Mailloux et al. (5,066,047), Yu et al. (EP 521296) and Nordeen et al. (6,022,440), and in view of Kushibiki et al. (4,908,285).

Claims 1-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over either of Ueda et al. (5,843,598) or Morii et al. (6,066,378), combined with Mailloux et al. (5,066,047), Yu et al. (EP 521296), Nordeen et al. (6,022,440), and Kushibiki et al. (4,908,285), and further in view of Kaule (CA 2046711).

Applicants respectfully traverse each of the above rejections.

The primary references (Ueda '598 and Morii '378), as well as Nordeen '440, Kushibiki '285, and Kaule '711 do not disclose or suggest a first heat-seal layer that is formed of a solution coating layer having an aqueous thermoplastic resin dissolved in water.

In the Office Action mailed September 24, 2004, the Examiner relies on the above-noted secondary references to cure the deficiencies of Ueda '598 and Morii '378.

However, for the particular reasons that follow, none of the secondary references identified by the Examiner actually cures the deficiencies of Ueda '598 and Morii '378. Accordingly, the Examiner's proposed combination of art does not lead one of ordinary skill in the art to the presently claimed invention.

Mailloux '047 does not teach that the first heat-seal layer is formed of a solution coating layer having an aqueous thermoplastic resin dissolved in water. Applicants refer to column 8, line 57, through column 9, line 11, of Mailloux '047.

AMENDMENT

U.S. Appln. No. 09/843,891

Yu '296 shows that an aqueous solution coating layer containing a water-soluble resin is used for protective layers 18, 19 or 32, 52, 68. Applicants refer to column 5, line 28, through column 6, line 21, and column 10, lines 5-39, as well as FIG. 4.

Yu '296, however, does not teach that such a layer is used as a heat-seal layer. FIG. 4 shows an optical adhesive at 40 (column 10, lines 19-21), but does not teach that it is used as a heat-seal layer.

Also, Yu '296 does not teach that the second heat-seal layer is provided.

In addition, Yu '296 refers to gelatin, polyvinyl alcohol, polyacrylate and the like (column 6, lines 4-5), but Yu '296 does not teach the thermoplastic resin as a heat-seal layer.

Furthermore, Yu '296 does not at all refer to a hologram transfer foil, and specifically, does not teach that when a hologram transfer foil is applied on its second heat-seal layer side over an application member, the adhesion force of the volume hologram layer to the application member is larger than the material fracture force for the volume hologram layer or the application member.

Kushibiki '285 does not teach that the first heat-seal layer and the second heat-seal layer are stacked together. Furthermore, Kushibiki '285 does not teach that when a hologram transfer foil is applied on its second heat-seal layer side over an application member, the adhesion force of the volume hologram layer to the application member is larger than the material fracture force for the volume hologram layer or the application member.

In summary, the Examiner's proposed combination of art does not teach and every element of the claimed invention, and the prior art rejections should be withdrawn.

The following further emphasizes the patentability of the invention.

The claimed provision of the first heat-seal layer and second heat-seal layer improves the adhesion force of the volume hologram layer to the application member. By making the adhesion force of the volume hologram layer to the application member larger than the material

AMENDMENT

U.S. Appln. No. 09/843,891

fracture force for the volume hologram layer or the application member, the claimed hologram transfer foil is improved in its ability to prevent forgery.

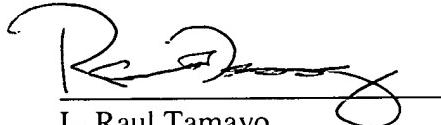
In addition to improving forgery-prevention, the claimed provision of a first heat-seal layer formed of a solution coating layer having an aqueous thermoplastic resin dissolved in water and the second heat-seal layer prevents influence caused by migration of the dye or the like.

For all the foregoing reasons, Applicants request reconsideration and withdrawal of the prior art rejections.

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



L. Raul Tamayo
Registration No. 47,125

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: February 24, 2005